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Attorney for Plaintiff  
JAMES GUERIN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES GUERIN, an individual,

Plaintiff,

V.

SHELL VACATIONS CLUB, LLC d/b/a SVC-  
WEST L.P. d/b/a SHELL VACATIONS CM  
CORP d/b/a/ SHELL DEVELOPMENT CORP  
– SAN FRANCISCO and JOHN CARTER, an  
individual

Defendants.

Case No. C 07-03153 CW

## NOTICE OF UNAVAILABILITY

TO: DEFENDANTS SHELL VACATIONS CLUB, LLC d/b/a SVC-WEST L.P. d/b/a SHELL  
VACATIONS CORP-SAN FRANCISCO and JOHNCARTER:

NOTICE IS HEREBY GIVEN that from December 7, 2007 through January 2, 2008

BETH A. HUBER, attorney for plaintiff, will be out of the office and unavailable for any purpose

1 whatsoever, including but not limited to receiving notices of any kind, responding to *ex parte*  
2 applications and/or discovery requests, appearing in court, or attending depositions.

3 Purposefully scheduling a conflicting proceeding without good cause is sanctionable  
4 conduct. *Tenderloin Housing Clinic v. Sparks* (1992) 8 Cal.App.4th 299, 10 Cal. Rptr. 2d 371.

5 DATED: November 27, 2007

6 HUBER LAW FIRM

7  
8 By:



BETH A. HUBER

Attorneys for Plaintiff JAMES L. GUERIN